Remarks

Applicants have reviewed this Application in light of the Office Action sent 29 January 2008. Applicants have made clarifying amendments to independent Claims 1, 11, 21, and 31. Applicants respectfully request reconsideration and allowance of all pending claims.

Allowable Subject Matter

Applicants appreciate the indication by the Examiner that independent Claim 31 is allowable. Applicants have made clarifying amendments to independent Claim 31. Applicants respectfully request allowance of independent Claim 31, as amended.

Applicants Have Corrected the Informality in Independent Claim 31

The Examiner objects to independent Claim 31 because of an informality. Applicants have made clarifying amendments to independent Claim 31 that correct the informality. Applicants respectfully request the Examiner to withdraw the objection to independent Claim 31.

Independent Claims 1, 11, and 21 are Allowable Over
the Proposed *Huang-Karpoff* Combination

The Examiner rejects independent Claims 1, 11, and 21 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,748,882 to Huang ("*Huang*") in view of U.S. Patent Application Publication 2001/0049740 by Karpoff ("*Karpoff*"). Applicants respectfully disagree with the Examiner.

As Applicants have pointed out before, *Huang* merely discloses daemons in nodes monitoring the statuses of the processes local to their nodes and the statuses of other nodes. (Column 5, Lines 6-8). When a node fails, a daemon watching the node notes the failure and broadcasts messages to surviving nodes to modify their node lists to reflect the loss of the node.

(Column 5, Lines 16-19). Each node in *Huang* has communication links for communicating with at least one of the other nodes in *Huang*. (Column 4, Line 66, through Column 5, Line 2).

Karpoff merely discloses an InfiniBand server architecture that includes one or more central processing units (CPUs) inside a server boundary connected to a switch outside the server boundary. (Figure 4A; Paragraphs 0085 and 0089).

In contrast, independent Claim 1 of this Application, as amended, recites:

> A method comprising:
> determining that one of a plurality of nodes has failed, each node comprising a switching fabric integrated to a card and at least two processors integrated to the card;
> removing the failed node from a virtual list of nodes, the virtual list comprising one logical entry for each of the plurality of nodes;
> determining that at least a portion of a job was being executed on the failed node;
> terminating at least the portion of the job;
> determining that the job was associated with a subset of the plurality of nodes; and
> deallocating the subset of nodes from the job.

Independent Claims 11 and 21, as amended, recite similar limitations.

The proposed *Huang-Karpoff* combination does not disclose, teach, or suggest all the limitations of indepndent Claim 1.

For example, as the Examiner acknowledges, *Huang* fails to disclose, teach, or suggest *a switching fabric integrated onto a board and one or more processors integrated onto the board*, as independent Claim 1 recited before the amendments above. Applicants respectfully submit *Huang* similarly fails to disclose, teach, or suggest *each node comprising a switching fabric integrated to a card and at least two processors integrated to the card*, as independent Claim 1 now recites.

However, the Examiner asserts *Karpoff* makes up for these deficiencies of *Huang*. Applicants respectfully disagree with the Examiner. *E*ven assuming for the sake of argument that the CPUs in *Karpoff* could properly be considered *at least two processors integrated to the card*, as independent Claim 1 recites, *Karpoff* would still fail to disclose, teach, or suggest *a switching fabric integrated to* the same *card*, as independent Claim 1 recites. Instead, in *Karpoff*, the CPUs and the switch reside on opposite sides of a server boundary, which clearly teaches away from the CPUs and the switch in *Karpoff* being *integrated the* same *card*, as independent Claim 1 recites.

The Examiner may not disregard specific recitations of Appellants' claims to maintain a rejection under 35 U.S.C. § 103(a). According to the M.P.E.P., "[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art." M.P.E.P. ch. 2143.03 (Rev. 6, Sep. 2007) (emphasis added). Moreover, "[w]hen evaluating claims for obviousness under 35 U.S.C. 103, all the limitations of the claims must be considered and given weight." *Id.* As shown above, even assuming for the sake of argument the proposed *Huang-Karpoff* combination were proper, the proposed *Huang-Karpoff* combination would still fail to disclose, teach, or suggest all the limitations of independent Claim 1. Therefore, the proposed *Huang-Karpoff* combination does not render independent Claim 1 obvious.

For at least these reasons, independent Claims 1, 11, and 21 are allowable over the proposed *Huang-Karpoff* combination. Applicants respectfully request reconsideration and allowance of independent Claims 1, 11, and 21 and all their dependent claims.
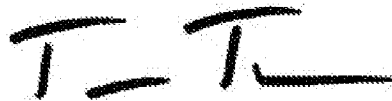
Conclusion

For at least the foregoing reasons, Applicants respectfully request allowance of all pending claims.

If a telephone conference would advance prosecution of this Application, the Examiner may call Travis W. Thomas, Attorney for Applicants, at 650.739.7503.

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Respectfully submitted,

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Date: 14 July 2008

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